

---

**Ecology & Parks Committee**

---

**HB 1863**

**Brief Description:** Enacting the fair competition for the environment act of 2009.

**Sponsors:** Representatives Chase, Anderson, Orcutt, Dunshee, Kristiansen and Williams.

**Brief Summary of Bill**

- Requires solid waste collection companies and their affiliated interests to separate their capital assets, operating revenues, and expenses associated with business activities that are subject to regulation by the Utilities and Transportation Commission from their business activities that are not subject to regulation by the Utilities and Transportation Commission.
- Prohibits the Utilities and Transportation Commission from considering any capital assets, operating revenues, or expenses associated with any business activity not subject to Utilities and Transportation Commission regulation when setting rates for a regulated solid waste collection company or an affiliated interest.
- Requires a solid waste collection company or affiliated interest, subject to regulation by the Utilities and Transportation Commission as to rates and service, to annually provide the Utilities and Transportation Commission with accounting records so that the Utilities and Transportation Commission can exclude from rate-making consideration the capital assets, operating revenues, and expenses associated with any business activity not subject to Utilities and Transportation Commission regulation.
- Names the Act the "Fair Competition for the Environment Act of 2009."

**Hearing Date:** 2/13/09

**Staff:** Jaclyn Ford (786-7339)

**Background:**

The Washington Utilities and Transportation Commission (UTC) is a three-member commission who, along with a staff of over 165 people, regulate the rates, services, and practices of privately-

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

owned utilities and transportation companies. These companies include electric, telephone, natural gas distribution, private water, solid waste collection, commercial ferries, and low-level radioactive waste disposal. The UTC is required to supervise and regulate solid waste companies by fixing and altering their rates, charges, classifications, rules, and regulations.

**Summary of Bill:**

Solid waste collection companies and their affiliated interests must separate their capital assets, operating revenues, and expenses associated with business activities that are subject to regulation by the UTC and business activities that are not subject to regulation by the UTC.

When setting rates for a regulated solid waste collection company or an affiliated interest, the UTC may not consider any capital assets, operating revenues, or expenses associated with any business activity not subject to UTC regulation.

A solid waste collection company or affiliated interest, subject to regulation by the UTC as to rates and service, must annually provide the UTC with accounting records so that the UTC may exclude from rate-making consideration the capital assets, operating revenues, and expenses associated with any business activity not subject to UTC regulation.

This Act is called the "Fair Competition for the Environment Act of 2009."

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.